

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

THOMAS THORNTON,

Plaintiff,

v.

BANK OF AMERICA, NA,

Defendant.

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CIVIL ACTION NO.

3:12-CV-02589-G

JOINT STATUS REPORT

I.

INTRODUCTION

Plaintiff Thomas Thornton (Plaintiff) and Defendant Bank of America, NA (Defendant) file this Joint Status Report.

II.

REPORT REQUIREMENTS

- 1. A brief statement of the nature of the case, including the contentions of the parties;**

This is an age discrimination case brought under the Texas Commission on Human Rights Act. Plaintiff contends he was discriminated against and ultimately discharged because of his age. Defendant denies Plaintiff's discharge was age related and contends it had legitimate, non-discriminatory reasons for its challenged employment actions.

- 2. Any challenge to jurisdiction or venue, including any procedural defects in the removal, if this case was removed;**

None.

- 3. Any pending motions;**

None.

4. Any matters which require a conference with the court;

None.

5. Likelihood that other parties will be joined or the pleadings amended;

It is unlikely other parties will be joined. It is possible amended pleadings may be filed depending on the outcome of depositions.

6. Discovery

a. An estimate of the time needed for discovery, with reasons;

The Parties request nine months for discovery.

b. A specification of the discovery contemplated;

The Parties will seek discovery of Plaintiff's contentions (age discrimination), Plaintiff's alleged damages, and Defendant's alleged legitimate, non-discriminatory reasons for discharge, Defendant's defenses, as well as the reasons for Plaintiff's termination.

7. Requested trial date, estimated length of trial, and whether jury has been demanded;

October 2013. The Parties estimate it will take three to four days to try this case. A jury has been demanded.

8. Whether the parties will consent to trial (jury or non-jury) before a United States Magistrate Judge per 28 U.S.C. § 636(c);

The Parties do not consent to trial before the magistrate judge.

9. Prospects for settlement and status of any settlement negotiations;

The Parties believe this case has a reasonable likelihood of settlement. At this point, however, there have been no settlement discussions.

- 10. What form of alternative dispute resolution (*e.g.*, mediation, arbitration, summary jury trial, court-supervised settlement conference, or early neutral evaluation) would be most appropriate for resolving this case and when it would be most effective; and**

The Parties request the Court order mediation to occur after the discovery deadline but before the dispositive motion deadline.

- 11. Any other matters relevant to the status and disposition of this case.**

None at this time.

Respectfully submitted,

/s/ Matthew R. Scott

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